

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA : SUPERSEDING
 : INFORMATION
 -v.- :
 : S1 07 Cr. 652 (LTS)
 ISIDORE FARKAS, :
 :
 Defendant. :
 -----X

COUNT ONE

The United States Attorney charges:

1. From in or about December 2005, up to and including in or about November 2006, in the Southern District of New York and elsewhere, ISIDORE FARKAS, the defendant, unlawfully, willfully, and knowingly, executed and attempted to execute a scheme and artifice to defraud a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, to wit, Chase Bank, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, FARKAS fraudulently obtained checks from an account at Chase Bank, endorsed those checks without authorization, and cashed the checks for the benefit of himself and others.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT TWO

2. From in or about December 2005, up to and including in or about November 2006, in the Southern District of New York and elsewhere, ISIDORE FARKAS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Section 1344 of Title 18, United States Code.

3. It was a part and object of the conspiracy that ISIDORE FARKAS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1344.

Overt Acts

4. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among others, were committed in the Southern District of New York and elsewhere:

a. In or about December 2005, FARKAS obtained checks in Manhattan drawn on a Chase account to which he did not have authorized access.

(Title 18, United States Code, Section 1349.)

FORFEITURE ALLEGATION

5. As a result of committing the offenses alleged in Counts One and Two of this Information, ISIDORE FARKAS, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the bank fraud and bank fraud conspiracy offenses.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and
Title 18, United States Code, Sections 1344, 1349.)


MICHAEL J. GARCIA
United States Attorney

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(18 U.S.C. §§ 1344, 1349, 2.)

MICHAEL J. GARCIA
United States Attorney.
